

April 10, 2015

Honorable Kenneth M. Karas  
United States District Judge  
Southern District of New York  
300 Quarropas St.  
White Plains, NY 10601

Dear Judge Karas,

I hope this letter finds you in excellent health; my name is Ahmed Diomande a former employee of the New York State Senate Finance Committee who had the privilege of working for the senate democratic conference and for State Senator Malcolm Smith during five of my 18 years legislative career.

It is therefore as a person who was giving a front row sit in the former senator's legislative career that I am writing to ask for your leniency as you consider sentencing him.

I first met Senator Smith in Albany in the spring of 2006 when I was Budget Director for the Senate Minority Finance Committee, which the senator was member of. I was first stricken by the freshman senator's concern for my well-being when in responding to my first ever greeting at a committee meeting, he added "I heard you've been burning the midnight oil"; I didn't know anyone was paying attention. Few months later, the senator called me in his office to inform me of his intention to introduce a new housing program bill that would revamp the state's failing housing policies, and wanted me to help draft it.

Ever since, the former senator and I developed a very closed and trusting working relationship, which was the primary reason why I decided to continue working for the Minority Conference after he ascended to the leadership following his predecessor, Leader David A. Paterson's decision to run for lieutenant governor. So you can imagine my surprise when Minority Leader-elect Smith decided to have us all interviewed for our jobs. I questioned my decision at first, but understood that this was how he operated; with him,

Ahmed



nothing was to be taken for granted and he had a very high regard for the job he was trusted to do. As I recalled, he was the first-ever New York State legislative leader who had all of his senior staff publicly sworn-in pledging to uphold the duties of their offices.

I can also remember when on the morning of June 15<sup>th</sup> 2007, Leader Smith had Mortimer Lawrence, his then Chief of Staff, called me in his Legislative Office Building (LOB) 907 office, to notify me of the resignation of Anthony Calhoun, our then Finance Secretary. During the fifteen minutes conversation that followed, Leader Smith told me that he was offering me the top job, but quickly added "nobody gave you anything for free Ahmed, you earned it"; he also told me that he was concerned however, because as he put it, "if Anthony had Ahmed, who did Ahmed have?"

So begun a long, exciting, and often frustrating two years that would take us through the worse financial crisis New York State ever experienced after the subprime housing crisis of the fall of 2008, right in the middle of an incredible legislative campaign masterminded by Leader Smith. Through his hard work, dedication and vision, he would lead senate democrats to their first victory of the Senate Majority in 40 years!

Judge Karas, you see, former senator Smith was a true believer and a hardworking man who truly thought we could all make a difference; he used to tell us "get no sleep". He believed in "One New York" in which Upstate agricultural products and dairy products could easily make their way to New York City restaurants, and where all New Yorkers, young and old could have a shot at a brighter future; that was in fact his New York 20/20 Vision Program. I also saw how with a modest grant of \$150,000 he was able to uplift the seniors in Binghamton, New York. The new grant would secure a new grocery store right in their community, which meant that these elderly would no longer have to travel for hours in the frizzing cold to do their groceries across town.

I can also give you a minute-by-minute account of how the day of June 2009 "coup" unfolded ending a promising personal political career for Senator Smith; we will never know how his leadership would have advanced the great State of New York. Malcolm Smith wasn't done playing his symphony, and perhaps he thought he could as Mayor of the City of New York.

So as you contemplate sentencing him, Judge Karas, I just wanted you to get to know the Malcolm Smith I was honored to work with. It is my hope and prayer

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that you find that he can still serve his community in some more meaningful way. In doing so, I can only imagine how kids throughout the whole state could be inspired by his accomplishments and also learn from his mistakes.

Thank you for your time, and GOD bless.

A handwritten signature in blue ink, appearing to read 'Ahmed Diomande', with a long horizontal flourish extending to the right.

Ahmed Diomande